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**Introduced by Senators Battin and Denham**

February 20, 2004

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An act relating to state property.

LEGISLATIVE COUNSEL'S DIGEST

SB 1752, as introduced, Battin. State property: surplus.

Existing law requires the Department of General Services to perform various functions and duties with respect to state property.

This bill would authorize the Director of General Services to sell, exchange, lease, or transfer unspecified parcels of state property. The bill would exempt the sale, exchange, lease, or transfer of the parcels from specified provisions of the California Environmental Quality Act. This bill would require that the net proceeds be deposited in the General Fund and would require the reservation of mineral rights, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Director of General Services, with the  
2 approval of the State Public Works Board, may sell, exchange, or  
3 lease, for current market value or for any lesser consideration  
4 authorized by law and upon those terms and conditions and subject  
5 to those reservations and exceptions as the Director of General  
6 Services determines are in the best interests of the state, all or any  
7 part of the following real property:  
8 Parcel 1. \_\_\_\_\_.  
9 Parcel 2. \_\_\_\_\_.

1 SEC. 2. (a) Notices of every public auction or bid opening  
2 shall be posted on the property to be sold under this act and shall  
3 be published in a newspaper of general circulation published in the  
4 county in which the real property to be sold is situated.

5 (b) Any sale, exchange, lease, or transfer of the parcels  
6 described in this act is exempt from Chapter 3 (commencing with  
7 Section 21100) to Chapter 6 (commencing with Section 21165),  
8 inclusive, of Division 13 of the Public Resources Code.

9 SEC. 3. (a) The Department of General Services shall be  
10 reimbursed for any cost or expense incurred in the disposition of  
11 any parcels.

12 (b) The net proceeds of any moneys received from the  
13 disposition of any parcels described in this act shall be deposited  
14 in the General Fund and be available for appropriation in  
15 accordance with Section 15863 of the Government Code.

16 SEC. 4. As to any property sold pursuant to this act consisting  
17 of 15 acres or less, the Director of General Services shall except  
18 and reserve to the state all mineral deposits, as defined in Section  
19 6407 of the Public Resources Code, below a depth of 500 feet,  
20 without surface rights of entry. As to property sold pursuant to this  
21 act consisting of more than 15 acres, the Director of General  
22 Services shall except and reserve to the state all mineral deposits,  
23 as defined in Section 6407 of the Public Resources Code, together  
24 with the right to prospect for, mine, and remove the deposits. The  
25 rights to prospect for, mine, and remove the deposits shall be  
26 limited to those areas of the property conveyed that the director,  
27 after consultation with the State Lands Commission, determines  
28 to be reasonably necessary for the removal of the deposits.

